

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.692 of 2024

Arising Out of PS. Case No.-11 Year-2020 Thana- MEDNI CHAUKI District- Lakhisarai

Ram Bhajju Mahto @ Ram Bhajju @ Bhajju Kumar @ Ram Bhajju Kumar
S/O- Setho Mahto @ Seth Mahto R/O Village- Khaba Chandra Tola, P.S-
Medni Chowki, District- Lakhisarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajesh Kumar, Advocate
For the Opposite Party/s : Mr. Yogendra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 09-04-2024

1. Heard learned counsel for the parties.

2. The petitioner has preferred this application for grant of regular bail in connection with Sessions Trial no.212 of 2023 (arising out of Medni Chowki P.S. Case no.11 of 2020) registered under sections 302, 201 and 34 of the Indian Penal Code.

3. As per the prosecution case, the informant states that her husband is involved in the business of entertainment. It is stated that Bablu Kumar forcibly took her husband away. Her husband did not return and subsequently his dead body was recovered in the *bathan* of the petitioner. She further states that on enquiry, she came to learn that on being asked by the petitioner and Bablu to arrange for programme and on her husband refusing for lack of time, it is stated that along with others the accused persons assaulted and killed him.

4. Learned counsel for the petitioner submits that the



petitioner has been falsely implicated in the case. Neither the informant is an eye witness to the alleged occurrence nor any of the witnesses whose statements have been recorded in course of investigation claim to be an eye witness. The false implication of the petitioner is on the basis of an unsubstantiated suspicion raised against this petitioner who is in custody since 27.3.2023 and has no criminal antecedent. Chargesheet has been submitted in the case.

5. Heard learned A.P.P. for the State.

6. Having heard learned counsel for the parties and taking into consideration the nature of allegation in the F.I.R., the material that has transpired in course of investigation and the petitioner having remained in custody for more than 1 year since 27.3.2023, the Court directs the petitioner to be enlarged on bail in connection with Sessions Trial no.212 of 2023 (arising out of Medni Chowki P.S. Case no.11 of 2020) on furnishing bail bond of Rs.10,000/ (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional District and Sessions Judge II, Lakhisarai.

(Partha Sarthy, J)

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